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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION TWO

In re MAURICE P., a Person Coming  
Under the Juvenile Court Law.

B216708  
(Los Angeles County  
Super. Ct. No. NJ20337)

THE PEOPLE,

Plaintiff and Respondent,

v.

MAURICE P.,

Defendant and Appellant.

THE COURT:\*

Maurice P. appeals from the order declaring him a ward of the court (Welf. & Inst. Code, § 602) by reason of his having committed assault by means likely to produce great bodily injury (Pen. Code, § 245, subd. (a)(1), count 1),<sup>1</sup> attempted murder (§§ 664, 187, subd. (a), count 2), and assault with a deadly weapon (§ 245, subd. (a)(1), count 3). As to all counts, the juvenile court found to be true the allegation that the offenses were committed for the benefit of a criminal street gang within the meaning of section 186.22,

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\* BOREN, P. J., ASHMANN-GERST, J., CHAVEZ, J.

<sup>1</sup> All further statutory references are to the Penal Code unless otherwise indicated.

subdivisions (b)(1)(A) or (C), as to counts 2 and 3 the allegation that a principal was armed with a firearm within the meaning of section 12022, subdivision (a)(1), and as to count 2 the allegation that a principal personally used a firearm, discharged a firearm and proximately caused great bodily injury within the meaning section 12022.53, subdivisions (b) and (e)(1), (c) and (e)(1), and (d) and (e)(1). At the dispositional hearing, the juvenile court ordered appellant committed to the Department of Juvenile Justice. It stayed count 3 pursuant to section 654 and ordered that appellant's maximum term of confinement was 39 years to life.

The Welfare and Institutions Code section 602 petition was based upon the following facts. On June 23, 2008, at approximately 7:00 p.m., in the vicinity of East 56th Street, in the City of Long Beach, Deandre Majors-Coley (Deandre) returned home and was confronted by appellant and another male. When Deandre said "excuse me," so he could get by the two men to enter his building, appellant asked, "Who the fuck are you?" Deandre responded, "Who the fuck are you?" Appellant said, "I'm from Sex, Money, Murder. This is my area. This is my area. This is where I stay. What you doing over here?" Deandre said he lived there. Appellant and his associate made a fist and acted like they were going to attack Deandre. When he told them to try it, they ran off.

Deandre entered his house, got his car keys and went outside to go somewhere. He was surrounded by appellant and 25 to 35 men. They were cursing at him, asking him and his father, who had come outside when he heard the disturbance, where they were from. One of the men threw a bike at Deandre, hitting him in the stomach. Deandre fell and some of the men swung at him and kicked him. Others were fighting with his father and mother, who had also come outside. The attackers mentioned the gang "Sex, Money, Murder." Deandre was bruised in the attack, but not seriously injured. The police were called.

The next day, at approximately 1:00 p.m., from his apartment, Deandre saw appellant yelling, "Why did you call the police" and made a shooting gesture with his fingers. Two to three minutes later, Deandre went downstairs to meet his parents, when

three shots rang out. Deandre was hit in his eye by a bullet, resulting in his being left blind in one eye.

Appellant was an admitted member of the Sex, Money, Murder gang. He told the investigating detective that he heard about the June 23, 2008 fight with Deandre but had nothing to do with it. When told that the detective had information that appellant went to his house to get the gun, appellant became upset and stopped talking. A gang expert opined that appellant was an active member of the Sex, Money, Murder gang, and that the charged offenses were gang crimes committed for the benefit of, at the direction of or in association with a criminal street gang. The expert also testified to two recent violent crimes of Sex, Money, Murder gang members.

We appointed counsel to represent appellant on this appeal. After examination of the record, counsel filed an “Opening Brief” in which no issues were raised. On November 16, 2009, we advised appellant that he had 30 days within which to personally submit any contentions or issues which he wished us to consider. No response has been received to date.

We have examined the entire record and are satisfied that appellant’s attorney has fully complied with her responsibilities and that no arguable issues exist. (*People v. Wende* (1979) 25 Cal.3d 436, 441.)

The order appealed from is affirmed.

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